



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Norman H. Bangerter
Governor

Dee C. Hansen
Executive Director

Dianne R. Nielson, Ph.D.
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340

October 21, 1992

CRR
PO 74978 855

Mr. John Williams
TAME TIC Committee
12770 SW Foothill Drive
Portland, Oregon 97225

Post-It™ brand fax transmittal memo 7671		# of pages ▶ 2
To <i>John Williams</i>	From <i>W Hedberg</i>	
Co. <i>TAME TIC Comm.</i>	Co. <i>Oil Gas & Mining</i>	
Dept.	Phone # <i>801 538-5340</i>	
Fax # <i>503 641-5507</i>	Fax # <i>801 359-3940</i>	

Dear Mr. Williams:

Re: Response to Objections and Request for Hearing, Kennecott Corporation,
Barney's Canyon Mine Permit Revision, M/035/009, Salt Lake County, Utah

The Division received your recent letter, dated October 13, 1992, which contains review comments and objections from the TAME TIC Committee regarding Kennecott Corporation's permit revision for the Barney's Canyon Mine. It is the Division's determination that the comments regarding the highwall variance and the revegetation variance represent written objections of substance that are within the regulatory jurisdiction of this agency.

Two other issues relate to permits issued by the Utah Department of Environmental Quality, Division of Air Quality and Water Quality, not the Division of Oil, Gas and Mining. A copy of your letter has been forwarded to those respective agencies for appropriate response.

You are hereby advised that, in consideration of your substantive comments and in accordance with Utah Code Ann. §40-8-13(5)(d)(iii), the Division will prepare a formal Notice of Agency Action and a copy of the notice will be sent to you. This matter will be heard by the Board of Oil, Gas and Mining at its regularly scheduled board hearing in Salt Lake City, December 2, 1992. Please make arrangements to have appropriate legal representation present at the hearing to plead your case before the Board. For your information and reference, we have enclosed a copy of the rules of Practice and Procedure before the Board of Oil, Gas and Mining.

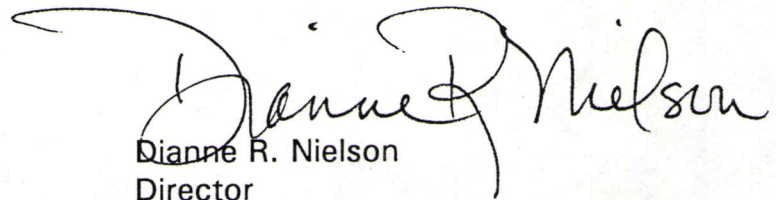
The Division has issued a conditioned approval of the permit revision. As noted in the enclosed letter, the condition of the permit is that the determinations

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regarding variances for highwalls and revegetation are withheld pending a decision by the Board following the above-referenced formal hearing.

If you have any questions, please contact me, or Janice Brown, Secretary to the Board.

Best regards,



Dianne R. Nielson
Director

jb
Enclosure
cc: David Hodson, Kennecott
F. Burnell Cordner, DAQ
Don Ostler, DWQ
M035009.ttc